

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SOLAE, LLC,  
a Delaware limited liability company,

Plaintiff,

VS.

C.A. No. 07-140-JJF

HERSHEY CANADA INC.,  
an Ontario, Canada corporation,

Defendant,

**DEFENDANT HERSHEY CANADA INC.'S  
MOTION TO DISMISS**

Defendant Hershey Canada Inc. moves to dismiss with prejudice all counts of the Complaint in the above-captioned action. The grounds for this Motion are fully stated in the accompanying Opening Brief of Hershey Canada Inc. In Support Of Its Motion To Dismiss.

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Dated: April 18, 2007

**CERTIFICATE OF SERVICE**

I hereby certify that on April 18, 2007, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following and which has also been served as noted:

**BY HAND**

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I further certify that on April 19, 2007, the foregoing document was sent to the following non-registered participants in the manner indicated:

**VIA FEDERAL EXPRESS**

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